

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of Thursday, April 15, 2010

The Public Service Commission of Wisconsin (Commission) met as noticed. Present were Chairperson Callisto, Commissioner Meyer, and Commissioner Azar.

Minutes

The Commission approved the minutes of the Open Meeting of Friday, April 9, 2010.

6630-CE-305 – Application of Wisconsin Electric Power Company for Authority to Build and Operate a 50 MW, Biomass-Fired, Cogeneration Facility in the Village of Rothschild, Marathon County, Wisconsin

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

627-CW-101 – Application of Bluffview Sanitary District, Sauk County, Wisconsin, to Acquire an Existing Well and Pump House

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

2890-WR-103 – Application of Kohler Municipal Water Utility, Sheboygan County, Wisconsin, for Authority to Increase Water Rates

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

137-AE-115 – Application of American Transmission Company LLC and Upper Peninsula Power Company for Approval of an Affiliated Interest Agreement Relating to Lincoln Substation Common Facilities Expansion

The Commission approved the Final Decision and directed it be signed by the Secretary to the Commission on behalf of the Commission.

Commissioner Azar will issue her standard concurrence regarding approval of retroactive agreements, and it will be attached to the Final Decision.

5-CE-138 – Joint Application of Wisconsin Power and Light Company, Wisconsin Public Service Corporation, and Madison Gas and Electric Company for a Certificate of Authority to Install Emissions Reduction Systems at the Columbia Energy Center Units 1 and 2

1-IC-419 – Application for Intervenor Compensation Filed by Sierra Club John Muir Chapter for \$105,700 to Participate in Docket 5-CE-138

Application for Supplemental Intervenor Compensation Filed by Sierra Club John Muir Chapter for \$15,537 to Participate in Docket 5-CE-138

The Commission approved the request filed on behalf of Sierra Club John Muir Chapter, awarding the amount of \$15,537 in supplemental intervenor compensation to participate in the application for authority to construct air emissions reduction systems and associated equipment on existing Columbia Energy Center Units 1 and 2 filed on behalf of Wisconsin Power and Light Company, Wisconsin Public Service Corporation and Madison Gas and Electric Company.

The Commission directed the Gas and Energy Division to draft an order consistent with its discussion.

6630-CE-302 – Application of Wisconsin Electric Power Company for a Certificate of Public Convenience and Necessity to Construct a Wind Electric Generation Facility and Associated Electric Facilities, to be Located in the Towns of Randolph and Scott, Columbia County, Wisconsin

Reconsideration of Motion to Intervene by Neighbors Concerned About Neighbors

The Commission denied the motion for reconsideration of the motion to intervene filed on behalf of Neighbors Concerned About Neighbors.

Chairperson Callisto dissented.

The Commission directed the Gas and Energy Division to draft an order consistent with its discussion.

6630-CE-302 – Application of Wisconsin Electric Power Company for a Certificate of Public Convenience and Necessity to Construct a Wind Electric Generation Facility and Associated Electric Facilities, to be Located in the Towns of Randolph and Scott, Columbia County, Wisconsin

Request by Wisconsin Electric Power Company to Begin Certain Construction Activities Simultaneously With Baseline Stray Voltage Testing Under Order Point 15 in the Final Decision

The Commission authorized Wisconsin Electric Power Company to begin certain construction activities simultaneously with its baseline stray voltage testing in this docket.

The Commission directed the Gas and Energy Division to draft an order consistent with its discussion.

3126-TI-100 – Petition of LifeConnex Telecom, LLC, for Designation as an Eligible Telecommunications Carrier in the State of Wisconsin

Review of Application and Consideration of Issues

The Commission considered and granted the petition filed on behalf of Lifeconnex Telecom, LLC (Lifeconnex) for eligible telecommunications carrier status.

The Commission modified the request filed on behalf of Lifeconnex and waived the payphone provision to more accurately reflect the proposed provisions of the Universal Service Fund rules currently pending before the legislature.

The Commission directed the Telecommunications Division to draft an order consistent with its discussion.

5858-TI-100 – Petition of Tennessee Telephone Service, LLC (d/b/a Freedom Communications, LLC) for Designation as an Eligible Telecommunications Carrier in the State of Wisconsin

Review of Application and Consideration of Issues

The Commission considered and granted the petition filed on behalf of Tennessee Telephone Service, LLC (d/b/a Freedom Communications, LLC) (Freedom) for eligible telecommunications carrier status.

The Commission modified the request filed on behalf of Freedom and waived the payphone provision to more accurately reflect the proposed provisions of the Universal Service Fund rules currently pending before the legislature.

The Commission directed the Telecommunications Division to draft an order consistent with its discussion.

CLOSED SESSION - The Commission recessed the open meeting, went into closed session under Wis. Stat. § 19.85(1)(e) to discuss negotiations on the matter noted below with legal counsel, and reconvened the open meeting pursuant to Wis. Stat. § 19.85(2).

9300-EI-100 – Investigation on Commission’s Own Motion of Impacts or Activities Related to the Operation of Energy Markets by the Midwest Independent Transmission System Operator, Inc.

Discussion of Midwest Independent Transmission System Operator, Inc., Injection-Withdrawal Straw Proposal and Transmission Owners’ Alternative Unique Purpose Projects Proposal

In open session, the Commission held a general discussion regarding the two alternative cost allocation methodologies under consideration. Commissioner Azar led the discussion. Upon completion of the discussion, Commissioner Meyer moved, pursuant to Wis. Stat. § 19.85(1)(e), that the Commission convene in closed session to discuss negotiation matters. Commissioner Azar seconded the motion. The motion was carried and the Commission went into closed session.

After a discussion in closed session, the Commission reconvened in open session.

The Commission instructed its representatives to the Midwest Independent Transmission System Operator, Inc., (Midwest ISO) Regional Expansion Criteria and Benefits Task Force and the Organization of MISO States, Inc., to indicate Wisconsin’s preference of the Midwest ISO Injection-Withdrawal Straw Proposal for cost allocation of new transmission projects developed over the past 16 months pursuant to Federal Energy Regulatory Commission Order to the Midwest ISO.

Commissioner Azar abstained.

The Commission delegated authority to Chairperson Callisto to provide further direction to the Commission’s representatives in regard to this matter.

The Commission adjourned the meeting at 12:15 p.m.